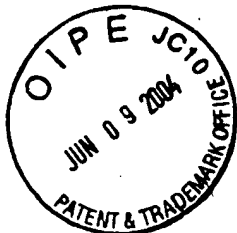


06-10-04

3739
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71Attorney Docket No. 0320-0016 HOOV 116

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)

Michael D. Hooven)

Serial No.: 10/015,303)

Filed: December 12, 2001)

Group Art No.: 3739)

Examiner: Rosiland S. Rollins)

 For: TRANSMURAL ABLATION DEVICE)
 WITH THERMOCOUPLE FOR)
 MEASURING TISSUE TEMPERATURE)

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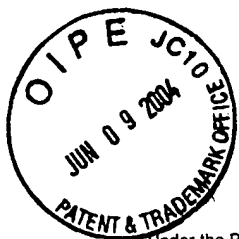
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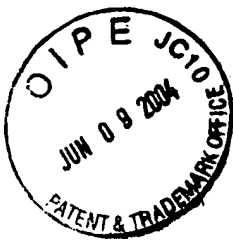
| | | | |
|--|-----------------------------|-------------------------------|----------------------|
| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | Application Number | 10/015,303 | |
| | Filing Date | December 12, 2001 | |
| | First Named Inventor | Michael D. Hooven | |
| | Group Art Unit | 3739 | |
| | Examiner Name | Rosiland S. Rollins | |
| Total Number of Pages in This Submission | 9 | Attorney Docket Number | (HOOV 116) 0320-0016 |

| ENCLOSURES <i>(check all that apply)</i> | | |
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| Firm or Individual name | Cook, Alex, McFarron, Manzo, Cummings & Mehler, Ltd. Gary W. McFarron, Esq. (Reg. No. 27,357) |
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PATENT
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NAME Renee Barthel

SIGNATURE Renee Barthel

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P.O. Box 1450
Alexandria VA 22313-1450

NINTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.97, Applicant hereby calls the Examiner's attention to the documents listed on the attached form, which the documents may be material to the examination of this application. A copy of each of the documents is enclose herewith for the Examiner's consideration.

No inference should be drawn that any apparatus or method disclosed is equivalent to the subject invention. Also, the citation of the above-discussed documents is not to be construed as an assertion that more pertinent art could not possibly be in existence. Citation of the documents herein is not to be construed as an admission that any subject matter disclosed in the documents

is necessarily within the inventive field of endeavor, that any disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

Applicant also respectfully reserves the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosure of the document discussed herein, that may be cited by the Examiner in rejecting a claim in the present patent application.

This Information Disclosure Statement is being mailed after the mailing date of a first Office Action on the merits but before a final action or an action that closes prosecution. The cited information was either first called to Applicant's attention in an Office Action dated June 4, 2004 in related Application Number 10/327,831 filed on December 23, 2002 or in an Office Action dated May 21, 2004 in related Application Number 10/015,355 filed on December 12, 2001. Accordingly, pursuant to 37 C.F.R. § 1.97(e)(2), it is hereby stated: no item of this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the best knowledge of the person signing this certification after making a reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to

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filing of this information disclosure statement. Consequently, as provided in 37 C.F.R. § 1.97(c), a fee under §1.17(p) is not required for the filling of this information disclosure. However, if it is determined that an additional fee is required, then authorization is hereby granted to charge Deposit Account 50-1039 any additional fee required.

(A duplicate of this document is enclosed herewith.)

Respectfully submitted,

Date: June 9, 2004

By: Gary W. McFarron

Gary W. McFarron, Esq.
Registration No. 27,357

Cook, Alex, McFarron, Manzo,
Cummings & Mehler, Ltd.
200 West Adams St., Suite 2850
Chicago, IL 60606
Telephone: (312) 236-8500

Attorneys for Applicant

Substitute for form 1449/PTO

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|------------------------|----------------------|
| Application Number | 10/015,303 |
| Filing Date | December 12, 2001 |
| First Named Inventor | Michael D. Hooven |
| Art Unit | 3739 |
| Examiner Name | Rosiland S. Rollins |
| Attorney Docket Number | 0320-0016 (HOOV 116) |

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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